

REMARKS

I. Amendments

Claim 53 is canceled, and claims 51 and 55 have been amended. The amendments to the claims do not constitute new matter and are completely supported throughout the specification as originally filed, including, for example, at page 59, line 15 through page 60, line 22, of the specification.

The foregoing amendments are made solely to expedite prosecution of the application and place the claims in condition for allowance. The amendments are not intended to limit the scope of the invention. Further, the amendments to the claims are made without prejudice to the pending or now canceled claims or to any subject matter pursued in a related application. The Applicant reserves the right to prosecute any canceled subject matter at a later time or in a later filed divisional, continuation, or continuation-in-part application.

Upon entry of the amendment, claims 51-52 and 54-56 are pending in the instant application. Claim 49 has been allowed

II. Claim Objections

Claim 53 has been objected to by the Examiner because it is dependent on a rejected claim (claim 51). However, the Applicant has canceled claim 53, rendering this objection moot.

III Rejections

A. Rejection under 35 U.S.C. § 112, first paragraph

The Examiner has rejected claims 51-52 and 54-56 under 35 U.S.C. § 112, first paragraph, because the specification allegedly does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the invention commensurate in scope with these claims. The Applicant respectfully traverses the rejection. However, for the sole purpose of expediting prosecution of the subject application, the Applicant has amended the claims.

In view of the amendment to the claims, the rejection under 35 U.S.C. § 112, first paragraph of claims 51-52 and 54-56 is no longer relevant, and Applicant requests withdrawal of the rejection under 35 U.S.C. § 112, first paragraph. Applicant submits that claims 51-52 and 54-56 as currently amended fully comply with the requirements under 35 U.S.C. § 112, first paragraph.

B. Rejection under 35 U.S.C. § 112, second paragraph

Claims 55-56 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. More particularly, the Examiner suggests that the claims are incomplete for omitting essential steps, allegedly resulting in a gap between steps of the method as claimed.

The Applicant respectfully traverses the rejection. The Applicant submits that the methods recited in previously added claim 55-56 include all steps essential to allow one skilled in the art to practice the invention. More particularly, one skilled in the art would have within his knowledge how to produce the transgenic mouse of the present invention. In any case, the Applicant has amended the claims. As amended, the methods recited in claims 55-56 include all steps necessary to particularly point out and distinctly claim the invention disclosed in the instant application.

In light of the amendments to the claims, the rejection under 35 U.S.C. § 112, second paragraph, is no longer relevant. Applicant therefore requests withdrawal of the rejection under 35 U.S.C. § 112, second paragraph.

It is believed that the claims are currently in condition for allowance, and notice to that effect is respectfully requested. The Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-1271 under Order No. R-125.

Respectfully submitted,

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Kelly L. Quast
Kelly L. Quast, Reg. No. 52,141

Deltagen, Inc.
700 Bay Road
Redwood City, CA 94063
(650) 569-5100